

THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

IN RE:	§	
	§	
MARCOS GONZALEZ-LOPEZ	§	CASE NO. 19-41638-R
XXX-XX-0886	§	
107 LEGNEDARY COURT	§	CHAPTER 13
NEWARK, TX 76071	§	
	§	
LINDA RODRIGUEZ	§	
XXX-XX-9137	§	
	§	
DEBTORS	§	

MOTION TO DISMISS AND SETTING HEARING

**THE TRUSTEE REQUESTS THE COURT TO SET THIS MOTION FOR HEARING
ON April 19, 2023, AT 10:00 am AS FOLLOWS:**

**TELEPHONIC HEARING INFORMATION CAN BE FOUND ON THE HEARINGS TAB
OF THE TRUSTEES WEBSITE LOCATED AT WWW.PLANOCH13.COM**

COMES NOW Carey D. Ebert, and files this Motion to Dismiss and Setting Hearing in the above numbered and styled proceeding, and for cause would show the Honorable Court as follows:

The Debtors have unreasonably delayed the case because the Debtors have failed to make Chapter 13 plan payments as required by 11 USC §1326(a)(1). Failure to perform this duty constitutes an unreasonable delay by the Debtors that is prejudicial to creditors under 11 USC §1307(c)(1), and thus represents further cause for dismissal.

WHEREFORE, PREMISES CONSIDERED, Carey D. Ebert, prays that this case be dismissed for cause and for such other and further relief to which she may be entitled.

Respectfully submitted,

/s/ H. Jefferson LeForce

Carey D. Ebert, TBN 05332500

H. Jefferson LeForce TBN 00791094

Office of the Standing Chapter 13 Trustee

500 North Central Expressway, Suite 350

Plano, Texas 75074

(972) 943-2580

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Motion to Dismiss and Setting Hearing has been served: upon the following parties in interest via the Court's electronic filing system (ECF), an electronic means the recipient has consented to in writing, by mailing a copy of same to them via first class mail; uploaded to the Court for service by the Bankruptcy Noticing Center to the parties on the Court's mailing matrix on the date set forth below; and upon all parties receiving ECF notice.

MARCOS GONZALEZ-LOPEZ
LINDA RODRIGUEZ
107 LEGNEDARY COURT
NEWARK, TX 76071

ANDREW B. NICHOLS
LAW OFFICE OF ANDREW B. NICHOLS
7920 BELTLINE ROAD
SUITE 650
DALLAS, TX 75254

Dated: March 28, 2023

/s/ H. Jefferson LeForce
Office of the Standing Chapter 13 Trustee